

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION

This Document Relates to Plaintiff
Willard Taggart, 2:17-cv-04216

No. MD-15-02641-PHX-DGC
FIRST AMENDED
SHORT FORM COMPLAINT
FOR DAMAGES FOR INDIVIDUAL
CLAIMS

Plaintiff(s) named below, for their Complaint against Defendants named below,
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:

Willard J. Taggart

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

Kim A. Taggart

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

N/A

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

New York

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

New York

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

New York

7. District Court and Division in which venue would be proper absent direct filing:

Southern District of New York

8. Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

 Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other: _____

Complaint:

N/A

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

 Recovery® Vena Cava Filter

The logo consists of a black square containing a white checkmark with a red horizontal line through it.

G2® Vena Cava Filter

- 1 G2® Express (G2®X) Vena Cava Filter
2 Eclipse® Vena Cava Filter
3 Meridian® Vena Cava Filter
4 Denali® Vena Cava Filter
5 Other: _____

6 11. Date of Implantation as to each product:

7 October 13, 2009
8 _____

9 12. Counts in the Master Complaint brought by Plaintiff(s):

- 10 Count I: Strict Products Liability – Manufacturing Defect
11 Count II: Strict Products Liability – Information Defect (Failure to
12 Warn)
13 Count III: Strict Products Liability – Design Defect
14 Count IV: Negligence - Design
15 Count V: Negligence - Manufacture
16 Count VI: Negligence – Failure to Recall/Retrofit
17 Count VII: Negligence – Failure to Warn
18 Count VIII: Negligent Misrepresentation
19 Count IX: Negligence *Per Se*
20 Count X: Breach of Express Warranty
21 Count XI: Breach of Implied Warranty
22 Count XII: Fraudulent Misrepresentation

- Count XIII: Fraudulent Concealment

Count XIV: Violations of Applicable New York (insert state)
Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices

Count XV: Loss of Consortium

Count XVI: Wrongful Death

Count XVII: Survival

Punitive Damages

Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

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1 RESPECTFULLY SUBMITTED this 8th day of March 2018.

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FLINT LAW FIRM, LLC

5 By: /s/ Jacob A. Flint

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